

RB JPD  
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES BRADLEY

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CIVIL ACTION

v.

UNITED STATES DISTRICT COURT, et al.:

NO. 10-7564

M E M O R A N D U M

BUCKWALTER, J.

JANUARY 3, 2011

Plaintiff, an inmate, is seeking to bring a civil action without prepayment of fees. Pursuant to 28 U.S.C. § 1915(g), a prisoner who on three or more prior occasions while incarcerated has filed an action in a federal court that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted, must be denied in forma pauperis status unless he was in imminent danger of serious physical injury at the time that the complaint was filed. Abdul-Akbar v. McKelvie, 239 F.3d 307 (3d Cir.), cert. denied, 533 U.S. 953 (2001).

There are no allegations in plaintiff's complaint that would suggest that he was in imminent danger of serious physical injury at the time that this action was filed. Furthermore, prior to the filing of the instant case, plaintiff filed three actions, which were dismissed as frivolous or for failure to state a claim upon which relief may be granted.<sup>1</sup>

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<sup>1</sup> In the United States District Court for the Western District of Pennsylvania, Civil Action No. 10-0238 was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B) by Order dated October 12, 2010, and Civil Action No. 08-00024 was dismissed for failure to state a claim by Order dated April 30, 2008, and in the United States District Court for the Eastern District of Pennsylvania, Civil Action No. 05-2088 was dismissed as frivolous by Order dated June 2, 2005.

FILED

JAN - 3 2011

MICHAEL E. KUNTZ, Clerk  
By *[Signature]* Dep. Clerk

Accordingly, plaintiff's motion to proceed in forma pauperis will be denied.